

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:17-CV-00198-MOC-DSC

Hendrick Automotive Group,

Plaintiff,

vs.

Trumbull Insurance Company, and Hartford
Fire Insurance Company,

Defendants.

CONSENT ORDER

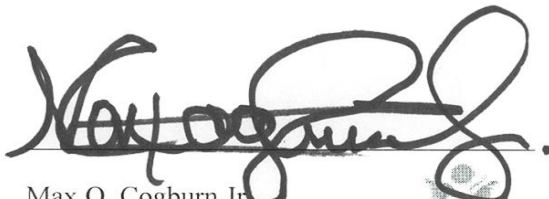
This matter is before the Court on Plaintiff Hendrick Automotive Group and Defendants Trumbull Insurance Company and Hartford Fire Insurance Company's (the "Parties") Motion for Joint Request to Submit this case on Motions for Summary Judgment. The Court has heard from the Parties, reviewed the Joint Request, and approves it as submitted. The Parties agree to the following:

1. Plaintiff shall file a stipulation of dismissal with prejudice for the following claims:
 - a. Unfair Trade Practices- N.C. Gen. Stat. § 75-1.1 *et seq.*
 - b. Insurance Bad Faith
2. All parties waive their right to a jury trial.
3. The Parties shall submit a Stipulated Statement of Facts on or before December 8, 2017.
4. The Parties shall submit cross-Motions for Summary Judgment on Plaintiff's Breach of Contract Claim on or before January 19, 2018, with supporting briefs.

5. The Parties shall submit limited Responses to Motions for Summary Judgment on or before February 2, 2018, with responsive brief length limited to 10 pages, double-spaced, minimum 12 point font.
6. The Parties waive their right to file any Reply Briefs in further support of their respective Motions for Summary Judgment.
7. The Parties waive their right to appeal the Court's decision on the parties' cross-Motions for Summary Judgment, or to seek reconsideration of the Court's decision. Said another way, the Court's decision on summary judgment shall be the full and final decision of this case.
8. The Parties shall not be required to mediate this dispute.

IT IS THEREFORE ORDERED that the parties' Motion for Joint Request is approved as submitted and as noted herein.

Signed: November 29, 2017



Max O. Cogburn Jr.
United States District Judge

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